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**REMARKS**

Reconsideration of this application as amended is respectfully requested.

Claims 1-4, 11 and 13 have been amended and claim 8 has been cancelled.

Claims 1, 2, 4 and 5 were rejected under 35 U.S.C. 102(b) as being anticipated by Mao, U.S. Patent 6,041,895. Claim 1 has been amended to recite that the "disengagement of the first and second latching elements permits disengagement of the actuating element from the housing element." Support for the amendment is found in FIGS. 1-4. Mao discloses a brake device including a grip tube 14 having an arresting block 14 that is received in an arcuate guide slot 14 of the locating member 10. Before the grip tube 14 disclosed in Mao can be removed from the locating member 10, the fastening bolt 32 must be removed from the cap member 30. Accordingly, Mao fails to disclose a shifter wherein disengagement of first and second latching elements permits disengagement of the actuating element from the housing element. For this reason, this rejection of claim 1 should be withdrawn.

Claims 2, 4 and 5 were rejected as claim 1 under 35 U.S.C. 102(b). Since claims 2, 4 and 5 depend directly or indirectly from and contain all the limitations of claims 2, 4 and 5 as amended, they are felt to overcome the obviousness rejection in the same manner as amended claim 1.

Claims 1-3 were rejected under 35 U.S.C. 102(e) as being anticipated by Hanatani, U.S. Patent 6,595,894. Claim 1 has been amended to recite that the housing element is mounted about and fixed to the handlebar. Support for this amendment is found in the specification at paragraph 18, lines 5-6. Hanatani discloses a housing element 50 mounted about the handlebar 12. However, the housing element 50 is not fixed to the handlebar 12; rather it rotates about the handlebar 12. Accordingly, Hanatani fails to disclose a locking device that secures a fixed housing element with a rotating

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actuating element as claimed in the present invention. For this reason, this rejection of claim 1 should be withdrawn.

Claims 2 and 3 were rejected as claim 1 under 35 U.S.C. 102(3). Since claims 2 and 3 depend directly or indirectly from and contain all the limitations of claims 2 and 3 as amended, they are felt to overcome the obviousness rejection in the same manner as amended claim 1.

Claims 3 and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Mao in view of Wessel, U.S. Patent 6,615,688. The examiner states that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the locking device to Mao with the hook engaging device as taught by Wessel in order to provide a more securing shifter so that the mechanism would last longer. Applicant respectfully traverses this rejection.

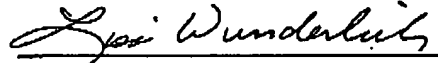
Claim 1 has been amended to recite that "disengagement of the first and second latching elements permits disengagement of the actuating element from the housing element." As stated above to remove the grip tube 14 of Mao from the locating member 10, the fastening bolt 32 must be removed before the grip tube 14 may be disengaged from the locating member 10. Wessel discloses a shifter including a fixed grip 2 that must be removed before a rotating element 5 may be removed from a housing 8. Therefore, the combination of these references fails to teach or suggest first and second latching elements that secure a fixed housing to a rotatable actuating element and wherein the disengagement of the first and second latching elements disengage the housing element from the actuating element.

This amendment is believed to be fully responsive to the comments and suggestions of the Examiner and to place this application in condition for allowance. Favorable action is requested.

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Respectfully submitted,

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